CHAPTER cxcii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Croydon Corporation Tramways, Croydon Tramways (Extensions), and South Staffordshire Tramways. A.D. 1894.

[17th August 1894.]

WHEREAS under the authority of the Tramways Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed: 33 & 34 Vict. c. 78.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Tramways Orders Confirmation (No. 2) Act, 1894. Short title.

2. The several Orders as amended and set out in the schedule to this Act annexed shall be and the same are hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said schedule, shall, from and after the passing of this Act, have full force and validity, and the dates of the same respectively shall be the date of the passing of this Act. Confirmation of Orders in schedule.

3. The Promoters mentioned in the said Orders shall not, in the exercise of the powers of this Act, or of the said Orders, purchase Protection of houses of labouring class.

A.D. 1894.

or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

SCHEDULE.

LIST OF ORDERS.

Croydon Corporation Tramways.—Order authorising the Mayor Aldermen and Burgesses of the County Borough of Croydon to construct Tramways in the said County Borough.

Croydon Tramways (Extensions).—Order authorising the construction of Tramways in the Borough of Croydon in the County of Surrey and for other purposes.

South Staffordshire Tramways.—Order authorising the construction of Tramways in the Borough of West Bromwich and the Parish of Handsworth both in the County of Stafford and for other purposes.

CROYDON CORPORATION TRAMWAYS.

A.D. 1894.

Croydon.

Order authorising the Mayor Aldermen and Burgesses of the County Borough of Croydon to construct Tramways in the said County Borough.

Short title.

1. This Order may be cited as the Croydon Corporation Tramways Order 1894.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings Provided that in this Order :—

The expression "the Act of 1883" shall mean the Croydon and Norwood Tramways Act 1883 ;

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised ;

The expression "the Corporation" shall mean the mayor aldermen and burgesses of the county borough of Croydon in the county of Surrey acting by the council ; and

The expression "the borough" shall mean the said county borough of Croydon.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes Provided that they shall not at any time hold for such purposes more than one acre of land in addition to the lands which they were authorised to hold prior to the date of this Order but nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands taken under the powers of this section.

Construction of tramways.

6. The Promoters may construct and maintain subject to the provisions of this Order and in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways hereinafter described with all proper rails plates channels junctions turntables turnouts crossings passing places offices stables carriage engine boiler and dynamo houses waiting rooms sheds buildings works carriages harness tramway plant appliances machinery and conveniences connected therewith or for the purposes thereof.

A.D. 1894.

Croydon.

The tramways authorised by this Order will be situate wholly within the borough and the parish of Croydon and are the following :—

Tramway No. 1 (1 furlong 3 chains or thereabouts in length) commencing in High Street Croydon by a junction one chain south of the point of junction of High Street aforesaid and Mint Walk with the tramways constructed under the powers of the Croydon Tramways Act 1878 in High Street aforesaid thence proceeding in a northerly direction along High Street aforesaid and terminating in North End Croydon by a junction with the tramways constructed under the powers of the Croydon Tramways Act 1878 in that street 0·10 chains north of the point of junction of High Street aforesaid and Church Street Croydon ;

Tramway No. 2 (1 chain or thereabouts in length) commencing in High Street aforesaid by a junction with Tramway No. 1 at a point 1·25 chains south of the point of junction of Church Street aforesaid and North End thence proceeding in a north-easterly direction and terminating in George Street by a junction with the tramways constructed under the powers of the Croydon Tramways Act 1878 in that street at a point 0·60 chains east of the point of junction of High Street aforesaid and George Street aforesaid ;

The tramways shall be laid as single lines except between the following points where they shall be laid as double lines (that is to say) :—Tramway No. 1 In High Street aforesaid between the point of junction with the existing tramways aforesaid and a point 2·30 chains south of the point of junction of High Street aforesaid and Katharine Street Croydon In High Street between points respectively 2·70 chains south and 0·20 chains south of the point of junction of High Street aforesaid and Park Street Croydon :

Provided always that the tramways shall not be constructed until the High Street aforesaid has been widened under the powers of and in accordance with the Croydon Improvement Act 1890.

Gauge of tramways.

7. The tramways shall be constructed on a gauge of four feet eight inches and a half.

Further provisions as to construction of tramways.

8. In addition to the requirements of section twenty-six of the Tramways Act 1870 the Promoters shall before they proceed to open or break up any road for the purpose of constructing laying down maintaining or renewing any of the tramways lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Promoters shall not commence the construction laying down maintenance or renewal of any of the tramways or part of any of the tramways respectively until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

As to rails of tramways.

9. The rails of the tramways shall be such as the Board of Trade may approve.

Penalty for not maintaining rails and

10. The Promoters shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the

rails of the tramways and the substructure upon which the same rest and if the Promoters at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues and such penalty shall be a penalty within the meaning of section fifty-six of the said Act. *Croydon.* road in good condition.

In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Promoters have made default in complying with the provisions in this section contained or with any of the requirements of section twenty-eight of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are imposed by this section.

11. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade. Inspection by Board of Trade.

12. The carriages used on the tramways may subject to the provisions of this Order be moved by animal power and with the consent in writing of the Board of Trade during a period of seven years from the time specified in such consent and with the like consent during such further periods not exceeding seven years as the said Board may from time to time specify in any Order to be signed by a secretary or assistant secretary of the said Board by electric power steam power or any mechanical power including haulage by means of wire ropes or other appliances placed underground : Motive power.

Provided always that the exercise of the powers hereby conferred with respect to the use of any power other than animal power shall be subject to the regulations set forth in the schedule to the Act of 1883 and to any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of any power other than animal power on the tramways.

Provided also that the lessees under any lease made by the Promoters shall not use any power other than animal power on the tramways or any part thereof unless they are authorised to do so by special permission in such lease and the Promoters may with the consent of the Board of Trade and subject to the provisions of this Order attach to such special permission such conditions and restrictions as they may think fit.

13. The following provisions shall apply to the use by the Promoters of electric power under the provisions of this Order unless such power is entirely contained in and carried along with the carriages:— Restrictions on use of electric power.

(1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance ;

A.D. 1894.

Croydon.

(2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances ;

(3) The powers by this Order conferred with respect to the use of electric power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (herein-after referred to as "the prescribed regulations") and to any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return ;

(4) If the Promoters use electric power contrary to the provisions of this Order or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order they shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Promoters in the use of electric power under the authority of this Order have made default in complying with the provisions of this Order or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by order direct the Promoters to cease to use electric power and thereupon the Promoters shall cease to use electric power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such Order ;

(5) The Promoters shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus Provided always that the Promoters shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and

apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking Provided also that at the expiration of a period of three years from the passing of the Act confirming this Order nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents If any difference arises between the Promoters and any other party with respect to anything in this sub-section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be ;

(6) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or Provisional Order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes ;

(7) The expression "the Promoters" in this section shall include their lessees and the licensees and any person owning or using any tramways of the Promoters.

Extending to this Order certain provisions of the Act of 1883.

14. The following provisions of the Act of 1883 (that is to say)—

Sections 51 to 56 and 59 to 65 (all inclusive) and the schedule to the said Act annexed shall so far as the same are applicable extend and apply to the tramways by this Order authorised in like manner in every respect as if the tramways by this Order authorised formed part of the tramways authorised by the Act of 1883 and for the purpose of such application the expressions "the tramways" or "the authorised tramways" in the said provisions shall be construed to include the tramways as defined by this Order the expression "mechanical power" to include electric or any mechanical power including haulage by means of wire ropes or other appliances placed underground and the expressions "the Company" and "this Act" to mean the lessees of the Promoters and this Order respectively.

Promoters may in certain cases work tramways.

15. If the Promoters are unable to demise the tramways or any of them upon such terms as in the opinion of the Board of Trade will yield to the Promoters an adequate rent therefor the Board of Trade may grant a licence to the Promoters to work such tramways and the Promoters may thereupon work the same and may provide such horses carriages cars engines fixed and moveable plant harness materials and things (all of which are hereinafter included in the word "plant") and may employ such persons as may be requisite or convenient

A.D. 1894.

Croydon.

for working such tramways and in such case all enactments relating to the working of such tramways and the taking of tolls and charges therefor shall extend and apply mutatis mutandis to and in relation to the Promoters.

Provided that if at any time during such working by the Promoters any company make to the Promoters a tender in writing to take a lease of and to work the tramways worked by the Promoters for such period (not being less than seven years unless the Promoters otherwise agree) at such rent and upon such terms as shall in the opinion of the Board of Trade be adequate and proper and such company at the same time offer to purchase the plant of the Promoters not included in such lease at a price to be fixed (unless otherwise agreed on between such company and the Promoters) by a competent valuer to be appointed by the Board of Trade then upon payment of such price the Promoters shall demise the said tramways to such company at such rent and upon such terms and conditions as aforesaid and the powers of the Promoters to work the said tramways shall during the continuance of such lease cease and determine.

Corporation may borrow 1,750*l.* to be repaid in thirty years.

16. The corporation may under and according to the provisions contained in section 20 of the Tramways Act 1870 or in manner provided by the Croydon Corporation Act 1884 borrow for the purposes of this Order (in addition to any sum or sums of money they are already authorised to borrow) any sum or sums of money not exceeding in the whole one thousand seven hundred and fifty pounds and such further sum or sums as the Board of Trade may from time to time sanction by Order in writing and the time for which such sum or sums not exceeding one thousand seven hundred and fifty pounds may be borrowed shall be thirty years and for the purpose of such borrowing the corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order and the tolls charges and sums authorised to be taken or received by them under the provisions of this Order.

Certain provisions of the Public Health Act 1875 incorporated.

17. The following sections of the Public Health Act 1875 (that is to say) :—

Section 246 (audit where urban authority are a town council) ;

Section 250 (auditor to audit accounts of officers) ;

Section 264 (notice of action against local authority &c.) ; and

Section 265 (protection of local authority and their officers from personal liability) ;

are hereby incorporated with this Order and in construing those sections for the purposes of this Order the expression "this Act" where used in those sections shall mean this Order.

Provisions as to arbitration.

18. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of

such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Form and delivery of notices.

19. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

(1) Every notice shall be in writing and if given by the Promoters shall be signed by the town clerk and if given by any company or by any local authority or any road authority by their secretary or clerk:

(2) Any notice to be delivered by or to the Promoters to or by any body or company may be delivered by being left at the principal office of such body or company or at the said town clerk's office as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office or to the town clerk at his office.

For protection of the Postmaster-General.

20. In the event of any tramways of the Promoters being worked by electricity the following provisions shall have effect:—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.

(3) (*a*) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

A.D. 1894.

Croydon.

(4) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues.

(5) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the Court having cognisance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice.

(6) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work.

(7) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section.

(8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.

(9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(10) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.

(11) In this section the expression "the Promoters" includes their lessees and licensees or any company or person owning working or running carriages over the tramways.

Provision as to general Tramway Acts.

21. Nothing in this Order contained shall exempt the Promoters lessees or any company or person using the tramways or the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by the Act of 1883 and this Order.

CROYDON TRAMWAYS (EXTENSIONS).

A.D. 1894.

Croydon (Extensions).

Order authorising the Construction of Tramways in the Borough of Croydon in the County of Surrey and for other purposes.

Short title.

1. This Order may be cited as the Croydon Tramways (Extensions) Order 1894.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) of the Companies Clauses Consolidation Act 1845 of Parts I. and II. (relating respectively to cancellation and surrender of shares and additional capital) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order and for the purposes of such incorporation the term "special Act" in the said provisions shall mean this Order.

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings:

Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the authorised tramways" shall mean the tramways and works authorised by the Croydon Tramways Act 1878 the Croydon Street Tramways (Extensions) Order 1880 the Norwood District Tramways Act 1882 and the Croydon and Norwood Tramways Act 1883;

The expression "the Act of 1882" shall mean the Norwood District Tramways Act 1882;

The expression "the Act of 1883" shall mean the Croydon and Norwood Tramways Act 1883;

The expression "the Act of 1889" shall mean the Croydon Tramways Act 1889;

The expression "mechanical power" or "mechanical appliances" shall include the tubes posts passages grooves wires ropes chains cables engines brake-power fittings and all other appliances or things which shall form part of or be required for or be used in connexion with the cable steam electric mechanical or other power authorised to be used on the tramways;

The expression "the corporation" shall mean the mayor aldermen and burgesses of the county borough of Croydon acting by the council of the said borough;

The expression "superior court" or "court of competent jurisdiction" or any other like expression in this Order or any Act wholly or partly incorporated with this Order shall have effect as if the debt or demand in respect to which the expression is used were a simple contract debt and not a debt or demand created by statute; and

A.D. 1894.

Croydon (Extensions).

The expression "contingencies" in section 122 of the Companies Clauses Consolidation Act 1845 shall with reference to the Promoters be construed to include the contingency of the undertaking being sold to the local authority under section 43 of the Tramways Act 1870 at a sum less than the aggregate amount of the capital and debts of the Promoters.

Promoters.

The Promoters.

4. The Croydon Tramways Company incorporated by the Act of 1889 shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Lands.

Lands by agreement.

5. The Promoters may by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let and dispose of any such lands which may not be necessary for such purposes Provided that they shall not at any time hold for such purposes more than five acres of land But nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands taken under the powers of this section.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain subject to the provisions of this Order and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade as the same have been amended previous to the passing of the Act confirming this Order (which amended plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails sleepers points plates offices weigh-bridges turntables cross-overs engine-sheds stables carriage-houses warehouses works mechanical appliances and conveniences connected therewith or for the purposes thereof and may work and use the same.

The tramways authorised by this Order are—

Tramway No. 1 1 mile 3 furlongs 4·60 chains in length, of which 1 mile 8·60 chains are single line and 2 furlongs 6·00 chains double line commencing in the London Road Thornton Heath in the borough and parish of Croydon by a junction with the existing tramway therein at its termination near Brigstock Road passing thence along the London Road and terminating at the northern boundary of the said borough and parish at Hermitage Bridge.

This tramway shall be laid as a single line throughout except in the following cases where it shall be laid as a double line :—

In the London Road—

(*a*) For a distance of 44 yards or thereabouts from the commencement of the tramway ;

(*b*) For a distance of 66 yards or thereabouts northward from Silchester Lodge ;

(*c*) For a distance of 66 yards or thereabouts southward from Winterborne Road ;

(*d*) Between points respectively 44 yards or thereabouts and 110 yards or thereabouts northward from Warwick Road ;

(*e*) Between points respectively 130 yards or thereabouts and 64 yards or thereabouts southward from Pollards Hill North ;

(*f*) For a distance of 66 yards or thereabouts northward from the southern side of the house known as Greenholme;

(*g*) Between points respectively 72 yards or thereabouts and 6 yards or thereabouts southward from St. Helen's Road;

(*h*) Between points respectively 142 yards or thereabouts and 76 yards or thereabouts southward from the centre of the bridge carrying the London Brighton and South Coast Railway over the London Road at Norbury Station ;

(*i*) Between points respectively 73 yards or thereabouts and 7 yards or thereabouts from the termination of the tramway ;

Tramway No. 4 4 chains in length of which 3 chains are double line and 1 chain single line wholly in Selhurst Road in the borough and parish of Croydon commencing and terminating by junctions with the existing tramway therein at points respectively 44 yards or thereabouts south-westward and 44 yards or thereabouts north-eastward from the centre of Clifton Road and to be laid in substitution for a portion of the existing tramway ;

This tramway shall be laid as a double line throughout except for distances respectively of 11 yards or thereabouts from its commencement and 11 yards or thereabouts from its termination where it shall be laid as a single line.

For the protection of the corporation.

7. For the protection of the corporation the following provisions shall apply and have effect (that is to say) :—

(1) The positions and levels of the rails shall be defined and settled by the corporation and no rails shall be laid along or upon any road in any other position or level than such as shall have been approved of in writing by the corporation that approval to be authenticated by the signature of the town clerk of the said borough to a plan showing the intended position and level of the rails;

(2) The whole space between the rails and for a distance of 18 inches beyond each external rail and the whole space between the two lines where the tramway is double provided such lines are not required by the corporation to be laid more than 4 feet apart shall be paved by the Promoters to the satisfaction of the corporation with best Aberdeen 4-inch by 6-inch hammer-dressed granite setts except next the rails where the setts shall be 4-inch by 5-inch properly bonded laid on a foundation of good Portland cement concrete 6 inches in thickness compounded of clean washed gravel or macadam and Portland cement in the proportion of five parts of gravel or macadam to one of cement The whole of the said setts shall be well rammed and grouted with Portland cement and clean sharp sand in equal proportions ;

The corporation and the Promoters may by agreement make any variations in the works to be done under this sub-section or in the mode of executing the same ;

(3) Any paving metalling or material excavated by the Promoters in the construction of the tramways from any road under the jurisdiction or control of

A.D. 1894.

Croydon (Extensions).

the corporation may be applied by the Promoters so far as may be necessary in or towards constructing the tramway or reinstating the road the Promoters shall deliver the surplus paving metalling or material not used or required to be retained for the purpose aforesaid to the road surveyor for the time being of the corporation or to such person and at such place as he may appoint not exceeding one mile from the place where the same may have been excavated;

(4) In the construction of the tramways the Promoters shall not open or break up any road in the borough except in accordance with the following provisions namely:—

(*a*) The Promoters shall seven days before so doing give to the said road surveyor at his office notice in writing of their intention so to do specifying the road intended to be opened or broken up.

(*b*) The Promoters shall attend to the directions of the said road surveyor with a view to secure a free passage in the road and to prevent needless obstruction thereto.

(*c*) The Promoters shall not open or break up at any one time more of any such road which exceeds 100 yards in length than the said road surveyor shall in writing authorise.

(*d*) When the Promoters open or break up any such road they shall as soon as the works affecting it are completed and at the latest within four weeks from the day on which the works were begun restore the road under the superintendence and to the satisfaction of the said road surveyor to as good a condition as it was when it was opened or broken up.

(*e*) The Promoters shall save harmless and keep indemnified the corporation against any expenses consequent on any such work.

(*f*) If the Promoters fail to comply with any of the requirements of paragraphs (*b*) (*c*) (*d*) or (*e*) of this sub-section they shall be liable to a penalty not exceeding twenty pounds for every such failure and also to a further penalty not exceeding five pounds for every day after the first during which the Promoters fail to comply with the directions of the said road surveyor and the corporation may if they think fit restore the road opened or broken up and recover in a court of summary jurisdiction the expense of the restoration and also any penalties so incurred by the Promoters.

(5) A decision of the corporation under this section or under sections 8 or 15 of this Order shall not be deemed to be a matter of difference between the Promoters and the corporation within the meaning of section 33 of the Tramways Act 1870.

Power to lay certain lines in place of others.

8. The Promoters in any road in which they may have laid down or are authorised to lay down a single line of tramway may with the consent in writing of the Board of Trade and of the corporation in lieu thereof lay down a double line or an interlacing line of tramway and in any road in which they may have laid down or are authorised to lay down a double line or an interlacing line of tramway they may with the like consents in lieu thereof lay down a single line of tramway and in any road in which they may have laid down or are authorised to lay down a double line of tramway they may with the like consents in lieu thereof lay down an interlacing line of tramway and vice versâ Provided nevertheless that in the construction of any such works no rail shall except with

the like consent of the Board of Trade and of the corporation be so laid that a less space than nine feet six inches shall intervene between such rail and the outside of the footpath on either side of the road if any owner or occupier of any house shop or warehouse abutting upon the place where such rail is so proposed to be laid by notice in writing under his hand addressed to the Promoters or to the Board of Trade express his objection thereto.

Agreements between Promoters and road authorities.

9. The Promoters may from time to time subject to the provisions of this Order enter into and carry into effect agreements with any road authority with respect to the construction maintenance removal renewal repair and using of the tramways and the authorised tramways or any of them situated within the district of such road authority and the rails plates sleepers posts wires apparatus and works connected therewith and the facilitating of the traffic over the same.

Extending to this Order certain sections of the Act of 1883.

10. Save as by this Order otherwise expressly provided the provisions of sections 32 33 37 39 42 to 45 (both inclusive) 47 48 and 66 of the Act of 1883 shall so far as applicable extend and apply to the tramways and undertaking by this Order authorised and for the purposes of such application the expressions "the tramways" "the undertaking" "the company" and "this Act" in the said provisions shall be construed to mean respectively the tramways and the undertaking as defined by this Order the Promoters and this Order.

Motive Power.

Carriages may be moved by animal electric cable or any mechanical power.

11. The carriages used upon the tramways and (subject to the provisions of section 50 of the Act of 1883) upon the authorised tramways respectively may subject to the provisions of this Order be moved by animal power and with the consent in writing of the Board of Trade during periods not exceeding seven years from the times specified in such consent respectively and with the like consent during such further periods not exceeding seven years respectively as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board by means of steam electric cable or any mechanical power.

Provided always that the exercise of the powers hereby conferred with respect to the use of any power other than animal power shall be subject to the regulations set forth in the schedule to the Act of 1883 annexed and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of any power other than animal power on the tramways.

Extending provisions of Act of 1883 as to mechanical power.

12. The provisions of sections 51 to 58 (with respect to the use of steam or any mechanical power) of the Act of 1883 and of the schedule to the said Act annexed shall so far as applicable extend and apply to the tramways by this Order authorised and for the purposes of such application the expressions "the company" and "this Act" in the said provisions shall be construed to mean respectively the Promoters and this Order the expression "the authorised tramways" shall be construed to include the tramways by this Order authorised and the expression "mechanical power" shall be construed to include electric cable or any mechanical power.

A.D. 1894.

Croydon (Extensions).
Restrictions on use of electric power.

13. The following provisions shall apply to the use by the Promoters of electric power under the provisions of this Order unless such power is entirely contained in and carried along with the carriages:—

(1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances:

(3) The powers by this Order conferred with respect to the use of electric power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (hereinafter referred to as "the prescribed regulations") and to any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:

(4) If the Promoters use electric power contrary to the provisions of this Order or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order they shall for every such offence be subject to a penalty not exceeding ten pounds and also in case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Promoters in the use of electric power under the authority of this Order have made default in complying with the provisions of this Order or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by order direct the Promoters to cease to use electric power and thereupon the Promoters shall cease to use electric power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order:

(5) The Promoters shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus Provided always that the Promoters shall be deemed to take all such reasonable and proper

A.D. 1894.

Croydon (Extensions).

precautions as aforesaid if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking Provided also that at the expiration of a period of three years from the passing of the Act confirming this Order nothing in this subsection shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents If any difference arises between the Promoters and any other party with respect to anything in this subsection contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be:

(6) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or Provisional Order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes:

(7) The expression "the Promoters" in this section shall include their lessees and the licensees and any person owning or using any tramways of the Promoters.

For protection of the Postmaster-General.

14. In the event of any tramways of the Promoters being worked by electricity the following provisions shall have effect :—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2.) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.

(3.) (*a.*) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a

A.D. 1894.

Croydon (Extensions).

telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(4.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues.

(5.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice.

(6.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work.

(7.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section.

(8.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.

(9.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(10.) Nothing in this section contained shall be held to deprive the Postmaster General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.

(11.) In this section the expression "the tramways" shall include the authorised tramways.

Power to place posts wires &c.

15. Subject to the provisions of this Order and to the consent and approval of the corporation and of the Board of Trade the Promoters may place and maintain on any road in which any of the tramways or of the authorised tramways are or may be laid down such posts and overhead electric wires as may be necessary and proper for working such tramways or any of them by electric power.

Traffic and Tolls.

Extending provisions of Act of 1883 as to traffic and tolls.

16. The tramways by this Order authorised shall save as by this Order expressly provided for the purposes of traffic thereon and of the tolls and charges to be demanded and taken thereon be deemed to form part of the authorised tramways and the provisions of sections fifty-nine to sixty-five (both inclusive) of the Act of 1883 shall so far as applicable extend and apply to the tramways by this Order authorised and to the traffic thereon and to the tolls and charges authorised to be demanded and taken in respect of such traffic in like manner in every respect as if the tramways by this Order authorised formed part of the authorised tramways and for the purposes of such application the expressions "the company" and "this Act" in the said provisions shall be construed to mean the Promoters and this Order.

Provided always that section fifty-nine of the Act of 1883 shall for the purpose of computing tolls and charges in respect both of the tramways and the authorised tramways be construed as though the word "twopence" were therein inserted in lieu of the word "threepence" But it shall not be lawful without the consent of the local authority for the Promoters or any company or person working or using the tramways to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week days.

Power to grant running powers.

17. Subject to the provisions of this Order the Promoters may with the consent in writing of the Board of Trade grant to any company or person power to run over and use the tramways and the authorised tramways or any part or parts thereof with carriages horses cable electrical mechanical and other motive power for the purposes of traffic of every description and may enter into agreements with such company or person for or in relation to the granting or exercise by such company or person of such running powers and such company or person may exercise and use such running powers accordingly and shall at all times observe the regulations and byelaws for the time being in force on the tramways so run over so far as the same may be applicable The terms and conditions upon which such running powers may be exercised under this section shall be such as may from time to time be agreed upon between the Promoters and such company or person and the Board of Trade may approve or as failing agreement may from time to time be determined by an arbitrator to be nominated by the Board of Trade in manner provided by section 33 of the Tramways Act 1870.

Power to agree for interchange &c. of traffic.

18. Subject to the provisions of this Order the Promoters may with the consent in writing of the Board of Trade from time to time enter into and carry into

A.D. 1894.

Croydon (Extensions).

effect contracts or arrangements with any company corporation or person for the following purposes or any of them that is to say :—For the interchange accommodation conveyance and delivery of traffic coming from or destined for the tramways for the time being of the Promoters and the tramways of the other party and the fixing and division between the parties of the receipts arising therefrom and generally all matters incident to or consequent on the making or carrying into effect of any such contract or arrangement as aforesaid.

Promoters may accept leases of tramways within the borough.

19. In the event of any tramways being hereafter constructed or acquired by the corporation within the borough of Croydon the Promoters may with the consent of the Board of Trade from time to time accept any lease of such tramways or any part thereof which the corporation may think fit to grant to them subject in all respects to the provisions of section nineteen of the Tramways Act 1870.

Additional Capital.

Promoters may raise additional capital.

20. The Promoters may for the purposes of this Order and for the general purposes of their undertaking being in every case purposes to which capital is properly applicable from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 raise in addition to the sums of money which they are already authorised to raise any additional sum or sums not exceeding in the whole sixteen thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those methods respectively which shares or stock shall form part of the general capital of the Promoters Provided that the Promoters shall not issue any share created under the authority of this Order of less nominal value than ten pounds nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Calls.

21. One-fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and three-fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of incapacitated persons.

22. If any money is payable to a shareholder or stockholder or mortgagee being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Promoters.

Restrictions as to votes in respect of preferential shares or stock.

23. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Power to borrow on mortgage.

24. The Promoters may from time to time borrow on mortgage of their undertaking any further sum or sums not exceeding in the whole four thousand pounds in respect of the additional capital of sixteen thousand pounds by this Order authorised to be raised and the Promoters may in respect of every two thousand pounds of such additional capital issued and accepted and one-half whereof shall have been paid up borrow a sum or sums not exceeding in the whole five hundred pounds but in no case shall any part of any of such sums of five hundred pounds be borrowed until shares for so much of the said portion of the additional capital in respect of which the borrowing powers are to be exercised as is to be raised by means of shares are issued and accepted and one-half of such portion is paid up and the Promoters have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies

that shares or stock for the whole of such portion of additional capital have or has been issued and accepted and that one-half of such portion has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of such portion of the said additional capital as is to be raised by means of stock is fully paid up and the Promoters have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Promoters and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

25. The mortgagees of the Promoters under this Order may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than four hundred pounds.

Existing mortgages to have priority.

26. All mortgages granted by the Promoters in pursuance of powers vested in them before the passing of the Act confirming this Order and subsisting at the date of the said Act shall during the continuance thereof have priority over all mortgages granted by virtue of this Order.

Promoters not to create debenture stock.

27. The Promoters shall not create debenture stock.

Application of capital.

28. The moneys to be raised by shares or stock or by mortgage under the powers conferred by this Order shall be applied for the purposes of this Order and also for the general purposes of the undertaking of the Promoters to which capital is properly applicable and not otherwise.

Mortgages to comprise purchase money paid on compulsory sale.

29. Every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale to the local authority under section 43 of the Tramways Act 1870 and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage Any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act 1870 and every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

Miscellaneous.

Removal of certain existing tramways for purpose of constructing Tramway No. 4.

30. The Promoters may for the purpose of constructing the Tramway No. 4 in substitution for a portion of the existing tramways authorised by the Act of 1882 take up and remove so much of the existing tramway in Selhurst Road as may be required and the Promoters shall forthwith after the completion of Tramway No. 4 take up the double line of tramway in Selhurst Road aforesaid nearly opposite the site of Holy Innocents' Church and relay the same as a single line Upon the said portion of existing tramway being taken up and

A.D. 1894.

Croydon (Extensions).

removed by the Promoters under the provisions of this Order all rights powers authorities obligations and liabilities under the provisions of the Act of 1882 with respect to the said portion of existing tramway so taken up and removed and the construction and maintenance thereof and the traffic thereon and other matters relating to the same shall absolutely cease and determine and Tramway No. 4 shall for all purposes and notwithstanding anything in the Act of 1882 contained be deemed to be a tramway originally authorised by this Order and the provisions of the Act of 1882 shall apply and have effect with regard to such or such parts only (if any) of the tramways authorised by the Act of 1882 as shall not be so taken up and removed in all respects as if the said portion of tramway so taken up and removed had not formed part of the tramways by the Act of 1882 authorised.

Provisions as to arbitration.

31. Where under the provisions of the Tramways Act 1870 or this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Approval of Board of Trade to sale.

32. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing Provided that nothing in this Order or in the Tramways Act 1870 contained shall make the consent or approval of the Board of Trade necessary to the validity or effect of any mortgage granted by the Promoters under the authority of this Order or of the Act of 1889.

Interest not to be paid on calls paid up.

33. No interest or dividend shall be paid out of any share or loan capital which the Promoters are by this Order authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Order shall prevent the Promoters from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Deposits for future Bills or Orders not to be paid out of capital.

34. The Promoters shall not out of any money by this Order authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament or by any rule made by the Board of Trade under the Tramways Act 1870 now or hereafter in force may be required to be deposited in respect of any application to Parliament or to the Board of Trade for the purpose of obtaining an Act or provisional order authorising the Promoters to construct any other tramway or to execute any other work or undertaking.

Saving for general Acts.

35. Nothing in this Order contained shall exempt the Promoters or the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order.

SOUTH STAFFORDSHIRE TRAMWAYS.

A.D. 1894.

South Staffordshire.

Order authorising the construction of Tramways in the Borough of West Bromwich and the Parish of Handsworth both in the County of Stafford and for other purposes.

Short title.

1. This Order may be cited as the South Staffordshire Tramways Order 1894.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings.

Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the Order of 1881" shall mean the Wednesbury and West Bromwich Tramways Order 1881;

The expression "the Order of 1882" shall mean the Birmingham and Suburban Tramways Order 1882;

The expression "the Order of 1886" shall mean the Birmingham Central Tramways (Extension) Order 1886;

The expression "the Act of 1889" shall mean the South Staffordshire Tramways Act 1889;

The expression "the Promoters' authorised tramways" shall mean the tramways and works authorised by the several Orders set forth in section 6 of the Act of 1889 save so far as any such tramways and works or parts thereof have been abandoned;

The expression "mechanical power" or "mechanical appliances" shall include the tubes posts passages grooves wires ropes chains cables engines brake-power fittings and all other appliances or things which shall form part of or be required for or be used in connection with the cable electric mechanical or other power authorised to be used on the tramways; and

The expression "contingencies" in section 122 of the Companies Clauses Consolidation Act 1845 shall with reference to the Promoters be construed to include the contingency of the undertaking being sold to a local authority under section 43 of the Tramways Act 1870 at a sum less than the aggregate amount of the capital and debts of the Promoters.

Promoters.

The Promoters.

4. The South Staffordshire Tramways Company incorporated by the Act of 1889 shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

A.D. 1894.

South Staffordshire.

Lands.

Lands by agreement.

5. The Promoters may by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let and dispose of any such lands which may not be necessary for such purposes Provided that they shall not at any time hold for such purposes more than five acres of land but nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands taken under the powers of this section.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain subject to the provisions of this Order and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade (in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways hereinafter described with all proper rails plates offices waiting rooms weigh-bridges turn-tables cross-overs engine-sheds stables carriage-houses warehouses works mechanical appliances and conveniences connected therewith or for the purposes thereof and may work and use the same.

The tramways authorised by this Order are:—

Tramway No. 1.—Two miles five furlongs and 2·65 chains in length commencing in Carter's Green in the borough of West Bromwich in the county of Stafford by a junction with the existing tramways of the Promoters at a point 3·71 chains or thereabouts southward from the lamp post in the middle of Carter's Green passing thence in a south-easterly and easterly direction into and along High Street Birmingham Road and Holyhead Road and terminating in the last mentioned road in the parish of Handsworth in the said county by a junction with the existing tramways of the Birmingham Central Tramways Company Limited at a point 0·79 chain or thereabouts eastward from the intersection of the centre lines of Station Road and Holyhead Road.

Tramway No. 1 shall be laid as a double line of tramway for its whole length in substitution for a portion of the existing tramway.

Tramway No. 2.—0·75 chain in length wholly situate in Carter's Green in the borough of West Bromwich commencing by a junction with the north-eastern line and terminating by a junction with the south-western line of tramway No. 1 at points respectively 1·50 chains and 2·25 chains or thereabouts from the commencement thereof.

Tramway No. 2 shall be laid as a single line of tramway for its whole length in substitution for a portion of the existing tramway.

Tramway No. 3.—0·91 chain in length wholly situate in Holyhead Road in the parish of Handsworth commencing at the centre of the gateway into the Promoters' depôt in Holyhead Road and terminating by a junction with the south-western line of Tramway No. 1 at a point 0·70 chain or thereabouts north-westward from a point in the centre of Holyhead Road opposite the centre of the gateway into the above-named depôt.

Tramway No. 3 shall be laid as a single line of tramway for its whole length in substitution for a portion of the existing tramway.

Tramway No. 4.—1·24 chains in length wholly situate in Holyhead Road in the parish of Handsworth commencing at the centre of the gateway into the Promoters' depôt in Holyhead Road and terminating by a junction with the north-eastern line of Tramway No. 1 at a point 0·97 chain or thereabouts south-eastward from a point in the centre of Holyhead Road opposite the centre of the gateway into the above-named depôt.

Tramway No. 4 shall be laid as a single line of tramway for its whole length in substitution for a portion of the existing tramway.

Tramway No. 5.—0·75 chain in length wholly situate in Holyhead Road in the parish of Handsworth commencing by a junction with the south-western line and terminating by a junction with the north-eastern line of Tramway No. 1 at points respectively 1·50 chains and 2·25 chains or thereabouts south-eastward from a point in the centre of Holyhead Road opposite the centre of the gateway into the Promoters' depôt in Holyhead Road.

Tramway No. 5 shall be laid as a single line of tramway for its whole length in substitution for a portion of the existing tramway.

Tramway No. 6.—0·75 chain in length wholly situate in Holyhead Road in the parish of Handsworth commencing by a junction with the north-eastern line and terminating by a junction with the south-western line of Tramway No. 1 at points respectively 2·25 chains and 1·50 chains or thereabouts from the termination thereof.

Tramway No. 6 shall be laid as a single line of tramway for its whole length in substitution for a portion of the existing tramway.

Gauge of tramways.

7. The tramways shall be constructed on a gauge of three feet six inches Provided always that so much of section 34 of the Tramways Act 1870 as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramway but no carriage or engine used on the tramways shall exceed six feet three inches in width or such other width as may from time to time be prescribed by the Board of Trade.

Power to substitute double for single lines &c.

8. The Promoters in any road in which they may have laid down or are authorised to lay down a single line of tramway may with the consent in writing of the Board of Trade and of the road authority in lieu thereof lay down a double line or an interlacing line of tramway and in any road in which they may have laid down or are authorised to lay down a double line or an interlacing line of tramway they may with the like consents in lieu thereof lay down a single line of tramway and in any road in which they may have laid down or are authorised to lay down a double line of tramway they may with the like consents in lieu thereof lay down an interlacing line of tramway and vice versâ Provided nevertheless that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between such rail and the outside of the footpath on either side of the road if any owner or occupier of any house shop or warehouse abutting upon the place where such rail is so proposed to be laid by notice in writing under his hand addressed to the

A.D. 1894.

South Staffordshire.

Promoters or to the Board of Trade express his objection thereto Provided further that nothing in this section shall apply to the district of the Handsworth Local Board.

Extending to this Order certain provisions of the Order of 1881.

9. Save as by this Order otherwise expressly provided the following provisions of the Order of 1881 (with respect to construction of tramways) that is to say sections 7 to 13 (both inclusive) sections 16 17 19 and 24 to 36 (both inclusive) and sections 38 and 39 shall so far as applicable extend and apply to the tramways and undertaking by this Order authorised and for the purposes of such application the expressions "the tramways" "the undertaking" "the Promoters" and "this Order" in the said provisions shall mean respectively the tramways and the undertaking as defined respectively by this Order the Promoters of this Order and this Order.

For the protection of the Corporation of West Bromwich and the Handsworth Local Board.

10. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of West Bromwich and the local board for the Handsworth urban sanitary district respectively (each of which authorities is in this section so far as regards the tramways within the district of such authority included in the term "local authority") shall (in addition to any other provisions for the protection of local authorities contained in this Order) apply and have effect with respect to the tramways :—

(Works to be underground.)

(1) The Promoters shall not in any street or road without the consent in writing of the local authority construct erect or maintain any posts wires tubes cables or electrical or mechanical or other apparatus above the level of the surface of the road.

(Distance between centre of double lines.)

(2) All double lines of tramways shall be so laid as to have a space of seven feet six inches between the centre lines of such tramways if the local authority shall so require.

(Extending to this Order certain provisions of the Orders of 1882 and 1886.)

(3) Save as in this Order otherwise expressly provided and so far as the same are not inconsistent with the provisions of this Order the provisions contained in sections 19 23 24 29 32 81 89 and 95 of the Order of 1882 and in section 24 sub-section (*m*) and section 38 of the Order of 1886 shall *mutatis mutandis* and so far as applicable extend and apply to the tramways by this Order authorised as if such tramways formed part of the tramways authorised by the Order of 1882 and the Order of 1886 respectively.

(Mode of laying tramways to be approved by the local authority.)

(4) Subject to the provisions of this Order the size and construction of all engines cables and carriages to be used on the tramways and the wheels and brakes attached thereto and of all mechanical appliances and things appurtenant to the engines cables and carriages and the mode of laying down the tramways and the forms of the rails sleepers fastenings and grooves (if any) shall be such as the local authority shall require and the Board of Trade may approve but so that the form of the rails sleepers fastenings and grooves shall be the same throughout the whole length of the tramways.

Provided always that the requirements under this section with respect to the carriages to be used upon the tramways shall be deemed to be satisfied by the use of carriages the same or similar to those for the time being autho-

rised to be used by the Birmingham Central Tramways Company Limited upon their cable tramways in the district of Handsworth.

(Provisions as to construction of tramways.)

(5) In addition to the requirements of section twenty-six of the Tramways Act 1870 the Promoters shall at the same time as they give notice to the local authority of their intention to open or break up any road for the purpose of constructing laying down maintaining or renewing any of the tramways lay before the local authority and the Board of Trade plans sections and specifications showing such tramways and the proposed mode of constructing laying down maintaining and renewing the same and a statement of the materials intended to be used therein and the Promoters shall not commence the construction laying down maintenance or renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until such plans sections specifications and statement have been approved by the local authority and the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plans sections specifications and statement and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the local authority as provided by section twenty-six of the said Act.

(As to specification of works.)

(6) The specification of the works to be done under this Order exclusive of the maintenance of the portion of roadway repairable by the Promoters which was prepared and signed on the 18th April 1893 on behalf of the Promoters by their engineer and on behalf of the local authority by their surveyor shall be deemed to satisfy the requirements of this section and this Order shall be read accordingly and any difference between the Promoters and the local authority touching the matters falling within this section other than those determined and provided for by the said specification shall be determined by the Board of Trade.

(Portions of road to be paved by Promoters.)

(7) Section 28 of the Tramways Act 1870 and the provisions of this Order with respect to the paving and maintaining certain portions of the roadway of any road whereon any of the tramways are laid shall extend and apply to so much of any road in the borough of West Bromwich as extends two feet three inches and in the district of Handsworth as extends two feet one inch beyond the rails of and on each side of any such tramway.

(Paving and materials of roads.)

(8) So much of any road upon which any of the tramways are laid as the Promoters are under the provisions of the Tramways Act 1870 or this Order required to repair shall be paved and maintained by the Promoters with such paving materials and foundation as the local authority shall reasonably require and the local authority may prescribe a particular material for paving any specified road or part of a road and a different material for paving any other road or part of a road.

(Cost of reinstating roads.)

(9) The Promoters shall forthwith pay to the local authority the cost of the repair and reinstatement of such parts of the roads within their district as may be injured or damaged by reason of the traffic being diverted to or concentrated thereon during the construction alteration or repair of the tramways or any part or parts thereof or the same shall be a charge on the money which the Promoters are required to deposit before opening any road in such district or may be deducted from any money which may have been deposited by the Promoters with the local authority Provided however

A.D. 1894.

South Staffordshire.

that such repairs and reinstatements may be executed by the Promoters under the superintendence and to the satisfaction of the surveyor of the local authority.

(Local authority may maintain &c. roads at cost of the Promoters.)

(10) In the event of the Promoters failing to commence the repair or maintenance of any road whereon any of the tramways are laid in accordance with the provisions of the Tramways Act 1870 or this Order for seven days after notice from the local authority requiring them so to do and thereafter failing to proceed diligently with the same the local authority may take upon themselves the repairing or maintaining of such portions of any road provided that they shall by notice in writing to the Promoters state when they intend to take upon themselves such repairing or maintaining and if the local authority give such notice they shall execute such repairs or maintenance from and after the time and for the period mentioned in that behalf in such notice The materials and means to be used in repairing or maintaining the road as aforesaid by the local authority shall (subject to the provisions of this Order) be in their discretion and the Promoters shall not interfere in any way in the repair or maintenance of such portions of any such road as in pursuance of such provisions as aforesaid the local authority is or may become liable to repair or maintain or be liable in any way for any neglect or default in or about such repairing or maintaining.

The Promoters shall pay to the local authority all expenses of and incidental to the repairing or maintaining of such portions of any road as may be repaired or maintained by the local authority (including expenses of supervision) and as but for this and the other provisions in this behalf the Promoters would have been under the Tramways Act 1870 and this Order bound to repair or maintain and where in any road a double line of rails is laid all such expenses of and incidental to the repairing or maintaining of the whole space between such double lines whether the distance between such double lines be more than four feet or not and the amount of such expenses to be paid from time to time by the Promoters under this sub-section shall be ascertained in such manner as may from time to time be agreed upon between the local authority and the Promoters or as failing such agreement in any case may be ascertained and certified from time to time by an engineer or surveyor appointed by the Board of Trade and the certificates and payments shall be so made in advance that the local authority shall not in any way be required to furnish any money for such part of the works in hand as the Promoters may be liable to pay for Provided always that in all cases in which a deposit is not made to cover the estimated cost of repairs in pursuance of the next succeeding sub-section the Promoters shall pay to the local authority interest at the rate of five pounds per centum per annum on all sums which may be expended by the local authority under this sub-section from the date or dates upon which such sums shall have been expended until the same shall be repaid by the Promoters.

(Deposit with local authority of estimated cost of repairs &c.)

(11) In order to secure the payments by the Promoters of the amounts to be paid by them to the local authority under the last preceding sub-section the Promoters shall on or forthwith after the 25th day of March and the 25th day of September in each year deposit with the local authority

the amount which the engineer or surveyor for the time being of the local authority may certify to be in his judgment the amount which will be required to be paid by the Promoters under the said sub-section for the works to be executed during the next ensuing half-year and the local authority shall be at liberty to apply the moneys so deposited or any part thereof in or towards payment of any amount payable by the Promoters as aforesaid in respect of works executed during such half-year and at the end of each half-year the amount (if any) not so applied or so much thereof as may not be required shall be carried forward as or towards the deposit for the next half-year and any excess shall be paid to the Promoters and if any sum be so carried forward as aforesaid the Promoters shall for such half-year only deposit such an amount (if any) as will be required to make up the sum to be deposited as aforesaid.

(Deposit before breaking up roads.)

(12) Section 24 sub-section (*h*) of the Order of 1886 shall extend and apply to the tramways by this Order authorised save and except that in lieu of a sum calculated at the rate of 1000*l.* for every mile of tramway by such section required to be deposited the Promoters shall only be required to deposit a sum calculated at the rate of 1000*l.* for every route mile of tramway.

(Connections of Promoters' tramways with Birmingham and Western District tramways.)

(13) The Promoters shall when required by the corporation of West Bromwich at their own expense connect the tramways of the Promoters with the tramways of the Birmingham and Western District Tramways Company Limited at the junction of High Street and St. Michael Street and High Street and Spon Lane in the borough of West Bromwich and in case the Promoters make default in so doing after one month's notice in writing from the corporation the corporation may make the connections and recover the expenses incurred by them in so doing from the Promoters.

(Side entrance to sewers.)

(14) When any of the tramways are constructed or intended to be constructed over any manhole or entrance into any sewer of the local authority or so close to such manhole or entrance as to make the use thereof dangerous or inconvenient in the opinion of the local authority the Promoters shall if required by the local authority construct a side entrance in lieu of such manhole or entrance in such position and according to such plan as may be approved by the local authority provided that the local authority may at their option themselves at any time execute the works referred to in this sub-section and in section 29 of the Order of 1882 instead of the Promoters and on giving notice to the Promoters of their intention so to do construct such side entrance in accordance with the said plan so approved (if any) or failing that in accordance with some plan to be previously approved by the Promoters or in case of difference to be settled by the Board of Trade and the Promoters shall on demand pay to the local authority all reasonable costs incurred by the local authority in executing such works and incident thereto and of the preparation or approval of the plan and incident thereto and if the same shall not be paid on demand the amount due may be recovered with interest at the rate of five pounds per centum per annum by the local authority from the Promoters.

(As to purchase of tramways by the local authority.)

(15) In addition to the powers of purchase conferred upon them by section 43 of the Tramways Act 1870 the local authority may exercise the said power at any time before the expiration of the period of twenty-one years in the

A.D. 1894.

South Staffordshire.

said section mentioned if for two calendar months after notice from the local authority to the Promoters the Promoters or their lessees discontinue working the tramways (such discontinuance not being occasioned by circumstances beyond the control of the Promoters or their lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control).

(Lights on carriages after sunset.)

(16) In case the Promoters between sunset and sunrise use on the tramways any carriage they shall be bound to fix and maintain one light at least in front of such carriage and one light at least at the rear of such carriage of such distinctive colours and of such illuminating power as may be reasonably prescribed by the local authority and shall light up the inside of the carriage as required by the local authority.

(Cleansing of tramways.)

(17) The local authority may cleanse any road without reference to the tramways but whatever cleansing owing to snow or other matter impeding the traffic is requisite for the proper working of the tramways shall be executed by the Promoters at their own risk and cost and the Promoters shall in performing the same remove the snow or other matter to such place as the local authority may reasonably prescribe or approve not exceeding three-quarters of a mile from some part of the tramways The Promoters shall not deposit any snow or other matter (which they may remove as aforesaid) upon any road or street and shall not use salt or other unsuitable material for the thawing of the snow on any roads.

(Time for commencement and completion of works.)

(18) The works incident to the construction of the tramways shall be substantially commenced within six months of the date of this Order and the tramways shall be completed and opened for public traffic within eighteen months from the said date and no application shall be made or granted for any extension of time for the commencement or completion of the tramways without the consent of the local authority.

(Waiting rooms.)

(19) The Promoters shall provide and maintain such waiting rooms for passengers not exceeding three in number in the borough of West Bromwich and one in the district of Handsworth in such situations on the routes of the tramways and of such size and general construction as the local authority may require or approve.

(Tolls for passengers.)

(20) The Promoters may demand and take for every passenger travelling upon any of the tramways or any part thereof including tolls and charges for the use of the tramways and carriages and for motive power and every other expense incidental to such conveyance tolls or charges not exceeding one penny per mile and for this purpose the fraction of a mile shall be deemed a mile But it shall not be lawful without the consent of the local authority for the Promoters or any company or person working or using the tramways to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week days.

(Power to fix penny stages.)

(21) The Promoters shall with the approval of the local authority appoint penny stages upon the tramways not exceeding one mile in distance or length and the Promoters may notwithstanding anything in any Provisional Order confirmed by Parliament or Act of Parliament demand and take for every passenger travelling upon such tramways including tolls or charges

for the use of the tramways and of the carriages and for motive power and every other expense incidental to such conveyance any toll or charge not exceeding one penny per stage and for this purpose the fraction of a stage shall be deemed a stage.

(Traffic near churches &c.)

(22) No engine carriage or other tramway vehicle shall be driven or run past any church chapel or other place of worship during the hours of divine service at a rate exceeding four miles per hour nor shall any engine carriage or vehicle stand on any tramway or siding opposite any church chapel or other place of worship during such hours and no siding turnout refuge or erection of any kind shall be placed or constructed by the Promoters opposite to any church chapel or other place of worship without the consent in writing of the local authority.

(Goods not to be carried without consent of local authority.)

(23) The tramways shall not be used for the carrying or transmission of animals goods minerals or parcels exceeding twenty-eight pounds in weight except such personal luggage as the Promoters may be willing to carry without the consent or licence in writing of the local authority and the local authority is hereby empowered to give such consents or licences upon and subject to such terms and conditions as they may think fit so that such consents or licences shall not operate for a longer period than five years.

(Tramways in West Bromwich and Handsworth respectively not to be used by any other local authority.)

(24) No corporation or local or road authority (other than the corporation of West Bromwich and the Handsworth Local Board respectively) or person shall use any of the tramways in the districts of West Bromwich and Handsworth respectively for any sanitary or other purpose without the consent in writing of the said corporation or the said local board respectively as the case may be.

(Improvements in motive power to be used.)

(25) The Promoters shall from time to time use on the tramways such improvements in the motive power as the Board of Trade on the application of the local authority shall require for securing the greater security and convenience of the public. Provided that the Promoters shall not under this sub-section be required until the expiration of twelve years from the time specified in the consent of the Board of Trade for the commencement of the use of cable power upon the tramways to use any new form of motive power.

(Cables &c. may be laid and used.)

(26) The Promoters may with the consent of the Board of Trade and subject to the provisions of this Order (and particularly to those for the protection of the local authority) lay down and construct and for a period of seven years from the time specified in the consent of the Board of Trade for the commencement of the use of cable power upon the tramways maintain such tubes wires ropes chains works and conveniences as may be requisite for enabling the tramways to be used by carriages moved by means of haulage by wires ropes cables or chains and fixed steam engines and thereafter with the like consent during such further periods not exceeding seven years as the said Board may specify in any Order to be signed by a secretary or assistant secretary of the said Board but the Promoters shall not after the expiration of the period of twelve years from the time so specified for the commencement of the use of cable power on the tramways use or maintain without the previous consent or licence in writing of the local authority any

A.D. 1894.

South Staffordshire.

rails wires tubes ropes chains appliances works or conveniences for the purpose of enabling any of the tramways to be used by carriages moved by means of haulage by wires ropes cables or chains and fixed steam engines or other machinery The local authority is hereby empowered to give such consents or licences upon and subject to such terms and conditions as they may think fit not being inconsistent with the provisions of this Order and so that any such consent or licence shall not operate for a longer period than five years.

The Board of Trade on the application of the local authority are hereby empowered by order in writing under the hand of their secretary or of one of their assistant secretaries to prohibit the further use of all or any of the rails tubes wires ropes cables chains appliances works and conveniences which may be laid or used for the purpose of moving the carriages on the tramways or any of them if they are of opinion that such rails tubes wires ropes cables chains appliances works or conveniences are defective or out of repair or are or may be a source of danger or annoyance to the public and immediately upon the receipt of a copy of such order the Promoters shall cease to use and shall remove from the roads upon which the tramways may be laid such rails tubes wires ropes cables chains appliances works or conveniences and in default of their so doing the local authority may remove the same in such manner as they may think fit at the expense and cost of the Promoters and the expenses and costs which may be incurred by the local authority in removing the same shall be paid to them by the Promoters within one month from the date on which the same may be demanded.

(No mechanical power except cable power to be used without consent of local authority.)

(27) The Promoters shall not use nor allow to be used electric or any mechanical power except cable power on the tramways without the consent or licence in writing of the local authority The local authority is hereby empowered to give such consent or licence upon and subject to such terms and conditions as they may think fit not being inconsistent with the provisions of this Order and so that any such consent or licence shall not operate for a longer period than seven years.

(Regulations &c. by local authority.)

(28) The powers of the local authority under the Tramways Act 1870 with respect to the making of regulations and byelaws and with respect to the repeal or alteration of such regulations and byelaws shall subject to the provisions of this Order extend and apply for the purpose of regulations and byelaws empowering them to cause to be removed from the tramways any engines cables mechanical appliances harness or other things which may be deemed by them or their duly appointed officer to be unfit for use.

(Running powers.)

(29) The running powers authorised by this Order or to be acquired by agreement or otherwise shall not be exercised except with the consent in writing of the Board of Trade and shall be subject to such terms and conditions as the Board of Trade may think fit.

(Notice of intended sale of undertaking to be given to local authority.)

(30) The Promoters shall prior to any sale of the Undertaking serve the local authority with one month's previous notice in writing of their intention to sell and the local authority shall have full power to be heard before the Board of Trade as to the expediency of such sale.

(Provision in case of discontinuance.)

(31) Notwithstanding anything in the Tramways Act 1870 or in this Order contained if at any time after the opening of any of the tramways for traffic the working of such tramways shall be discontinued for the space of three calendar months after notice from the local authority requiring the Promoters to work the same (such discontinuance not being occasioned by circumstances beyond the control of the Promoters for which purpose the want of sufficient funds shall not be deemed a circumstance beyond their control) the local authority may by resolution apply to the Board of Trade to declare that the powers of the Promoters in respect of the tramways within the district of the local authority shall be at an end and thereupon if the Board of Trade so declare by order in writing the said powers shall cease and determine and the local authority may remove such tramways or any part thereof and restore the roadway wherein such tramways are situate to the satisfaction of their surveyor and the local authority shall sell so much of the materials of such tramways as shall not be required by them for restoring such roadway and out of the proceeds of such sale shall pay and reimburse themselves the expenses incurred by them in such removal and restoration and the balance (if any) shall be paid to the Promoters or if such proceeds of sale shall be insufficient to pay such expenses the Promoters shall on demand pay such deficiency to the local authority and in case of non-payment the same shall be recoverable by the local authority by all and the same means as any simple contract debt of like amount may be recovered.

(Appointment of inspector.)

(32) The local authority may appoint an inspector to examine those portions of the roadway which the Promoters are required by this Order to maintain and the rails engines carriages harness and mechanical appliances belonging to or used upon or in connection with the tramways and the working of the same and to report to the local authority from time to time as to the state and condition thereof and to take such action with respect to the same as the local authority may direct and the local authority may pay him such salary or other remuneration as they shall determine.

(Costs of local authority to be paid by Promoters.)

(33) All costs charges and expenses including parliamentary agents' and counsels' charges and fees and solicitors' and clerks' and surveyors' charges incurred by the local authority in connection with or which may be incident to the negotiations between them and the Promoters in relation to this Order and to the Order promoted in the session of 1893 and to the application for and obtaining such Orders and to the confirmation thereof by Parliament shall be paid by the Promoters before the commencement of the works by this Order authorised and any such charges and fees in connection with the construction and subsequent repair and maintenance of the tramways or with any authorised supervision by the local authority or any person appointed by them of the tramways and works and the traffic on the tramways or in connection with or which may be incident to any agreement or arrangement between the Promoters and the local authority or any byelaws made or to be made by the Board of Trade or the local authority or any consents or licences shall be paid by the Promoters to the local authority within one month from the date on which payment of the same shall be demanded.

A.D. 1894.

South Staffordshire.
(Recovery of penalties &c.)

(34) All sums which may become due or payable by the Promoters to the local authority under the provisions of this Order or of any other Order or of any Act of Parliament and all penalties damages costs charges and expenses under this Order or any provisions incorporated with this Order or under any byelaw made by the local authority under this Order or the Tramways Act 1870 may be enforced and recovered either in any court of competent jurisdiction or in any court of summary jurisdiction with full costs of suit.

For protection of the Birmingham Central Tramways Company Limited.

11. For the protection of the Birmingham Central Tramways Company Limited the following provisions (in addition to all other provisions of this Order and of any enactment incorporated therewith applicable to the said company) shall apply and have effect with respect to the construction and maintenance of Tramway No. 1.

(*a*) Before commencing to construct that portion of Tramway No. 1 which forms a connection with the termination of the said company's existing tramway in the Holyhead Road Handsworth being Tramway No. 47 authorised by the Order of 1886 the Promoters shall give to the said company fourteen clear days notice in writing of their intention and the said company may upon giving notice in writing to the Promoters within ten clear days of the receipt of such notice from the Promoters themselves elect to make the connection between Tramway No. 1 and the said company's tramway at the cost of the Promoters.

(*b*) In case the said company shall not give notice as aforesaid of their intention to make the connection between Tramway No. 1 and their tramway the Promoters shall carry out the work under the supervision and to the satisfaction of the said company's engineer for the time being with such expedition and in such a manner as to prevent as far as practicable any inconvenience or loss arising to the said company either from the stoppage of traffic or any other cause while such connection is being made the Promoters paying to the said company the reasonable costs of such supervision and (whether the said company give such notice as aforesaid or not) the Promoters shall also at all times during the maintenance and working of the said tramway take such steps as may be necessary to prevent any loss or inconvenience to the said company from the stoppage of traffic or any other cause and the Promoters shall indemnify the said company therefrom and the said company may recover from the Promoters such loss and damages as they may have sustained with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered.

For protection of the Postmaster-General

12. Section 54 of the Act of 1889 is hereby repealed and the following provisions shall apply and have effect in lieu thereof in the event of the tramways or any part thereof being worked by electricity.

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or

otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2.) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.

(3.) (*a.*) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(4.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues.

(5.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the Court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice.

(6.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work.

(7.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be

A.D. 1894.

South Staffordshire.

deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section.

(8.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.

(9.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(10.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.

(11.) In this section the expression "the tramways" includes the Promoters' authorised tramways and any other tramways owned or worked by the Promoters.

Inspection by Board of Trade.

13. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Motive Power Traffic and Tolls.

Carriages may be moved by animal cable electric or mechanical power.

14. The carriages used upon the tramways may subject to the provisions of this Order be moved by animal power and with the consent in writing of the Board of Trade during a period of seven years from the time specified in such consent and with the like consent during such further periods not exceeding seven years as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board by means of cable electric or any mechanical power but not including steam power used in or upon the carriages or locomotive engines.

Provided always that the exercise of the powers hereby conferred with respect to the use of any power other than animal power shall be subject to the regulations set forth in the Schedule A to the Order of 1881 annexed and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of any power other than animal power on the tramways.

Restrictions on use of electric power and repeal of section 55 of Act of 1889.

15. Section 55 of the Act of 1889 is hereby repealed and in lieu thereof the following provisions shall apply to the use by the Promoters of electric power upon the tramways and the Promoters' authorised tramways unless such power is entirely contained in and carried along with the carriages:—

(1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance.

(2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their Undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances.

(3) The powers by the Act of 1889 or this Order conferred with respect to the use of electric power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (hereinafter referred to as "the prescribed regulations") and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return.

(4) If the Promoters use electric power contrary to the provisions of this Order or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order they shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Promoters in the use of electric power under the authority of the Act of 1889 or this Order have made default in complying with the provisions of this Order or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by order direct the Promoters to cease to use electric power and thereupon the Promoters shall cease to use electric power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

(5) The Promoters shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus Provided always that the Promoters shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the

A.D. 1894.

South Staffordshire.

effect thereof upon the commercial prospects of the undertaking Provided also that at the expiration of a period of three years from the passing of the Act confirming this Order nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents If any difference arises between the Promoters and any other party with respect to anything in this sub-section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.

(6) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or Provisional Order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes.

(7) The expression "the Promoters" in this section shall include their lessees and the licensees or any person owning or using any tramways of the Promoters.

Power to place posts wires &c.

16. Subject to the provisions of this Order and notwithstanding anything contained in section 56 of the Act of 1889 the Promoters may with the previous approval of the local and road authority and of the Board of Trade place and maintain on any street or road in which any of the tramways or the Promoters authorised tramways are or may be laid such posts and overhead electric wires as may be necessary and proper for working such tramways by electric power.

Consent of local authorities.

17. In case any local or road authority shall at any time refuse or withhold any consent or approval required by the Act of 1889 or the Tramways Act 1870 or by any of the Orders set forth in section 6 of the Act of 1889 or by this Order and in the opinion of the Promoters such refusal or withholding of consent or approval is unreasonable or in case any difference arises between any local or road authority and the Promoters touching the reasonableness of any requirement of such local or road authority under such Acts or Orders the Board of Trade may on the application of the Promoters whereof previous notice in writing shall have been given by the Promoters to such local or road authority themselves determine the matter in question with respect to such refusal or withholding of consent or approval or such difference and the same shall not be deemed a matter in difference between the Promoters and such local or road authority within section 33 of the Tramways Act 1870 and the costs of such determination shall be in the discretion of the Board of Trade.

Certain provisions of the Order of 1881 to apply.

18. Save as by this Order otherwise expressly provided the following provisions of the Order of 1881 that is to say sections 44 to 50 both inclusive (with respect to motive power) sections 51 to 54 both inclusive and sections 56 and 58 (with respect to traffic upon tramways) sections 62 to 66 both inclusive (with respect to tolls) sections 68 to 71 both inclusive (miscellaneous) and Schedule A to the said Order annexed shall so far as applicable extend and apply to the

tramways and undertaking by this Order authorised, and for the purposes of such application the expressions "the tramways" "the undertaking" "the Promoters" and "this Order" in the said provisions shall be construed to mean respectively the tramways and the undertaking as defined respectively by this Order the Promoters of this Order and this Order and the expression "mechanical power" shall for such purposes be construed to include any power other than animal power by this Order authorised to be used on the tramways Provided that nothing in sections 51 or 54 of the Order of 1881 contained shall be construed to require the Promoters to obtain the consent of the local authority of any district to the conveyance of parcels not exceeding twenty-eight pounds in weight nor to provide separate carriages or parts of carriages therefor.

Certain provisions of the Act of 1889 to apply.

19. Save as by this Order otherwise expressly provided the following provisions of the Act of 1889 that is to say sections 57 to 60 (both inclusive) shall so far as applicable extend and apply to the tramways and undertaking by this Order authorised and for the purposes of such application the expressions "the tramways" "the undertaking" "the company" and "this Act" in the said provisions shall be construed to mean respectively the tramways and the undertaking as defined respectively by this Order the Promoters of this Order and this Order.

Miscellaneous.

Removal of certain existing tramways.

20. The Promoters may for the purpose of constructing the tramways by this Order authorised or any of them take up and remove the tramways now existing in Carter's Green High Street Birmingham Road and Holyhead Road from the point of the commencement of the tramways by this Order authorised to the end thereof Upon the said tramways being respectively taken up and removed by the Promoters under the provisions of this Order all the rights powers authorities obligations and liabilities under the provisions of the Order of 1881 and the Act of 1889 with respect to the said tramways or parts of tramways so taken up and removed and the construction and maintenance thereof and the traffic thereon and other matters relating to the same shall absolutely cease and determine and the tramways by this Order authorised to be constructed in substitution for the said tramways or parts thereof so taken up and removed shall for all purposes and notwithstanding anything in the Order of 1881 and the Act of 1889 or either of them contained be deemed to be tramways originally authorised by this Order and the provisions of the Order of 1881 and of the said Act shall apply and have effect with regard to such or such parts only (if any) of the tramways authorised by the Order of 1881 as shall not be so taken up and removed in all respects as if the said tramways or parts of tramways so taken up and removed had not formed parts of the tramways by such Order authorised.

Power to contract and grant leases.

21. Subject to the provisions of this Order the Promoters may at any time contract with any company or person for the construction equipment working and maintenance of the tramways by this Order authorised and any other tramways of the Promoters or any part or parts thereof and they may subject to the consent and approval of the Board of Trade grant a lease or leases of any of the said tramways or any part or parts thereof to any company or person either alone or together with all or any part of the lands buildings machinery

A.D. 1894.

South Staffordshire.

rolling stock or other property of the Promoters for any term of years provided that the same shall determine at or before the expiration of twenty-one years after the date of this Order at such rents fixed or variable with the profits or otherwise and upon and subject to such terms and conditions as may be agreed upon and during the existence of any contract entered into pursuant to this section such company or person shall have and may exercise and shall be and become liable to the same rights powers authorities penalties duties and obligations as the Promoters and during the continuance of any such lease the lessees of the Promoters may work and use the tramways comprised in such lease subject to all provisions regulations and byelaws for the time being in force on such tramways and may exercise all such rights powers and authorities in relation to such tramways not being inconsistent with any such provisions regulations or byelaws as aforesaid as may be conferred upon them by such lease and as if the tramways comprised in the lease formed a separate undertaking distinct from the other tramways of the Promoters under this Order or otherwise Provided that the lessees of the Promoters shall not use any power other than animal power on any tramways comprised in such lease unless they are authorised to do so by special permission in such lease and the Promoters may with the consent of the Board of Trade and subject to the provisions of this Order either by such lease or from time to time during the currency thereof attach to such special permission such conditions and restrictions as they may think fit The Promoters may at any time accept the surrender of any lease of any tramways of the Promoters for the time being subsisting upon such terms as the Promoters may think proper Every lease granted under this section shall imply a condition of re-entry if at any time after the making of the same the lessees of the Promoters discontinue the working of the tramways leased or of any part thereof for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of such lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control) and shall be determinable by six calendar months' notice in writing to the lessees of the Promoters in the event of a compulsory sale of the tramways comprised in such lease or any of them to the local authority under section 43 of the Tramways Act 1870 or this Order.

Power to grant running powers.

22. Subject to the provisions of this Order the Promoters may with the consent in writing of the Board of Trade grant to any company or person power to run over work and use the tramways by this Order authorised or any part thereof and any other tramways of the Promoters with carriages horses cable electric mechanical and other motive power but not including steam power used in or upon the carriages or locomotive engines for the purposes of traffic of every description and may enter into agreements with such company or person for or in relation to the granting or exercise by such company or person of such running powers and such company or person may exercise and use such running powers accordingly and shall at all times observe the provisions regulations and byelaws for the time being in force on the tramways so run over so far as the same may be applicable The terms and conditions upon which such running powers may be exercised shall be such as may from time to time be agreed upon between the Promoters and such company or person and the Board of Trade may approve or as failing agree-

ment may from time to time be determined by an arbitrator to be nominated by the Board of Trade in manner provided by section 33 of the Tramways Act 1870.

For protection of the receivers and managers.

23. As between the Promoters and the persons for the time being holding mortgages issued by the Promoters the undertaking by this Order authorised shall be deemed to form part of the general undertaking of the Promoters as existing prior to the fifth day of May 1893.

Saving as to powers of borrowing on mortgage.

24. Nothing in this Order or in the Tramways Act 1870 contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section 43 of the Tramways Act 1870 or under this Order and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section 43 of the Tramways Act 1870 or under this Order and that every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

Saving for general Acts.

25. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter be passed during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order.

Printed by Eyre and Spottiswoode,
for
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C.; or
John Menzies & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
Hodges, Figgis, & Co., Limited, 104, Grafton Street, Dublin.